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PATTERSON, THUENTE, SKAAR AND CHRISTENSEN, P.A.
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MINNEAPOLIS MN 55402-2100

In re Application of :
Charles Lavigne et al :
Serial No.: 10/018,189 : PETITION DECISION
Filed: March 18, 2002 :
Attorney Docket No.: 3335.01US01 :

This is in response to the petition under 37 CFR 1.181, filed December 6, 2004, for withdrawal of abandonment of the above identified application based on filing of a timely reply.

A review of the file history shows that the examiner mailed a Notice of Incomplete Response to applicants on June 28, 2004, setting a one month period for reply. On November 17, 2004, the examiner mailed a Notice of Abandonment to applicants. Applicants replied to the Notice of Incomplete Response on December 6, 2004, with this petition and a request and fee for a five month extension of time. In view of the timely reply the Notice of Abandonment was mailed prematurely. However since the purpose for the extension of time was solely to provide copendency with a later filed application and no other remarks accompanied the extension of time request, the application is held as abandoned for failure to fully reply to the Office action of June 28, 2004, as of December 29, 2004.

The petition is **GRANTED** to the extent indicated.

The application will be retained in storage.

Should there be any questions about this decision please contact William R. Dixon, Jr., by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0519 or by facsimile sent to the general Office facsimile number, 571-273-8300.


Bruce M. Kisluk

Director, Technology Center 1600